



ADMINISTRATIVE PROCEDURES

Procedure Number: 3-20

Effective Date: 07/01/2016

Revision Date: 01/18/2022



County Administrator

SUBJECT: **PARENTAL LEAVE**

DEPARTMENT RESPONSIBLE: **All County Departments**

I. STATEMENT

Pima County is committed to providing a work environment that is supportive of employees' work and personal life obligations. In demonstration of this commitment, the County offers eligible employees up to twelve (12) continuous weeks of 100% paid parental leave within the first twelve (12) weeks after the birth or adoption of a child. This procedure provides the guidelines under which parental leave may be authorized.

The purpose of this administrative procedure is:

- to implement Personnel Policy (PP) 8-107 F;
- to set forth specific County-wide procedures and processes to be utilized in the authorization process for partially paid parental leave.

II. DEFINITION

IN LOCO PARENTIS – persons with day-to-day responsibilities to care for and/or financially support a child. A biological or legal relationship is not necessary.

III. PROCEDURES

- A. Upon approval of the Human Resources Department, eligible employees may be granted up to twelve (12) continuous work weeks of parental leave within the first twelve (12) weeks after the birth or adoption of a child. Employees may request additional leave (beyond the twelve (12) weeks of parental leave) by applying annual leave or compensatory time as approved by their Appointing Authority.
- B. Parental leave must be taken as a single block of continuous leave of twelve (12) weeks or less and is only available once during a consecutive twelve (12) month period.
- C. Parental leave will be paid at 100% of the employee's regular rate of pay in effect at the time the leave commences.
- D. Employees who currently serve in a position that is eligible for benefits and have been employed by the County for at least twelve (12) months prior to the commencement of the requested leave are eligible for parental leave.

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- The adoption date and/or anticipated birth date must be on or after the employee's first anniversary with the County. If the due date is after the employee's first anniversary, but the baby arrives earlier than anticipated or is born prematurely, the employee may not yet qualify for FMLA and may take parental leave concurrent with Humanitarian-Personal Leave (see Personnel Policy 8-108) with the approval of the Appointing Authority.
 - When birth and/or adoption dates are anticipated and occur prior to the employee's first anniversary with the County, the employee is not eligible to take parental leave.
 - When birth and/or adoption dates are anticipated before the employee's first anniversary but actually occur on or after the employee's first anniversary date, the employee will be eligible for parental leave.
- E. When both parents are County employees who meet eligibility guidelines, the parents are limited to a combined total of twelve (12) weeks of paid parental leave. Intermittent employees, as defined in Merit System Rule 1, are not eligible for parental leave.
- F. When an employee puts a child up for adoption within twelve (12) weeks following birth, or if the child is placed in foster care within twelve (12) weeks following birth, the period during which the employee is eligible for parental leave will end on the date the employee separates from the child.
- G. Surrogates and sperm donors are not eligible for parental leave.
- H. Requests for parental leave must be submitted to HR-Leave Administration on the form available from Human Resources at least thirty (30) days before the leave is expected to begin or as soon thereafter as possible.
- I. The following parameters apply to parental leave for adoptions:
- includes the adoption of children under 18 years of age
 - includes adoption by a single parent or couple
 - does not include adoption of a spouse's or partner's child unless the child is adopted by both parents at the same time
 - does not include adoption of step-children or the equivalent
 - does not include guardianship, foster placement, or in-loco parentis
- J. Appointing Authorities shall not detail another employee into the position of an employee on parental leave and shall not otherwise temporarily fill the position of an employee on parental leave. Departments are not authorized to approve overtime costs for another employee to do the work of an employee on parental leave. In exceptional circumstances, an Appointing Authority may request County Administrator approval to temporarily fill the position of an employee on parental leave.
- K. Payback provision: employees who fail to return to work for at least ninety (90) calendar days following the end of their approved parental leave agree to

reimburse the County for the salary and benefits paid by the County for the period of parental leave. This reimbursement requirement will be excused if the employee's failure to return to work is related to the onset, recurrence, or continuation of a serious health condition of the employee or the child.

- L. This procedure cannot anticipate or address every situation that might occur with respect to parental leave eligibility and the use of parental leave. In such circumstances, HR-Leave Administration will address each request on a case-by-case basis.
- M. Denial of parental leave is grievable by providing a description of the issue being grieved to Human Resources Leave Administration.

III. **RESPONSIBILITIES**

- A. All departments are responsible for ensuring that their employees follow procedures set forth in Personnel Policies and this procedure regarding the request and approval of parental leave. Department Personnel Representatives are responsible for attaching a completed Parental Leave Request form to the Leave Administration Form (see AP 23-38 for specifics) and submitting both to HR-Leave Administration.
- B. Employees are responsible for properly requesting parental leave and timely submitting birth and/or adoption documentation to HR-Leave Administration.
- C. HR-Leave Administration is responsible for entering leave information into EV5 and eTIME as per HR Desktop Procedure for Leave Administration.

References: Personnel Policies 8-107 & 8-108
Administrative Procedures 23-37 & 23-38